



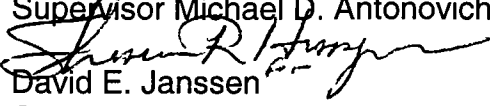
County of Los Angeles CHIEF ADMINISTRATIVE OFFICE

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DAVID E. JANSSEN
Chief Administrative Officer

April 9, 2004

To: Supervisor Don Knabe, Chairman
Supervisor Gloria Molina
Supervisor Yvonne Brathwaite Burke
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

From: 
David E. Janssen
Chief Administrative Officer

Board of Supervisors
GLORIA MOLINA
First District

YVONNE BRATHWAITE BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

TRIAL COURT FACILITIES ACT OF 2002: QUARTERLY UPDATE

On November 12, 2002, your Board instructed my office to report on the implementation of SB 1732 and to provide quarterly updates thereafter. SB 1732 is the legislation which requires the transfer of County courthouses to the State. This is the fifth quarterly report on the subject and covers January through March 2004 activities.

Implementation of SB 1732

In January, the County received the Summary Report of Preliminary Findings of the Superior Court of California; Seismic Assessment Program. Due, at least in part, to counties' concerns about the State's rating criteria, the Administrative Office of the Courts (AOC) decided to release the seismic report in summary format only without ratings assigned to the individual buildings. The summary report describes the general findings on a statewide basis.

Of the 452 statewide buildings identified in the inventory, half were exempted from evaluation due to one of the following:

- Having been constructed in accordance with the 1988 Uniform Building Code or upgraded since 1988;
- The court occupied space is less than 10,000 square feet and less than 20 percent of the total building area; or
- The building is a leased, abandoned, modular, or storage facility.

Of the remaining non-exempt buildings, about one-quarter were assigned a preliminary acceptable risk rating; half were assigned a preliminary unacceptable seismic safety rating; and a quarter were assigned to the pending category where additional information is needed.

Recent Activities

On March 15, 2004, my office along with the Auditor-Controller, County Counsel, Department of Public Works, and Internal Services Department attended an initial meeting with the AOC representing the Judicial Council to discuss the implementation of SB 1732. The following was discussed in the meeting:

- The AOC introduced its Court Transfer Team which is made up of State personnel and outside consultants;
- The AOC representatives stated their intention to begin the SB 1732 implementation process and to successfully transfer all of the courthouse properties, the "to be determined" seismic evaluations notwithstanding;
- The AOC requested that the County provide an up-to-date inventory list that shows all of the known court facilities in Los Angeles County;
- The County introduced the personnel who will provide support to the County's negotiations with the State Judicial Counsel on the transfer agreement for each courthouse;
- The AOC and County representatives reviewed the guiding principles of SB 1732; and
- The AOC requested information related to the court facilities structural and physical condition, environmental, bonded indebtedness, pending maintenance and capital projects, historical buildings, 80 percent County-occupied buildings, leased facilities, insurance for facilities and related information (see attached letter).

Each Supervisor
April 9, 2004
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County staff continues to participate in the bi-weekly conference calls with the California State Association of Counties (CSAC) and other County members. We will report back with the next quarterly report in July 2004.

If you have any questions regarding this report, please contact me, or your staff may contact John Edmisten of my staff at (213) 974-7365.

DEJ:JSE
MV:AT:rr

Attachment

c: Executive Officer, Board of Supervisors
 Auditor-Controller
 County Counsel
 Internal Services Department
 Department of Public Works



Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF COURT CONSTRUCTION AND MANAGEMENT

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Chief Justice of California
Chair of the Judicial Council

WILLIAM C. VICKREY
Administrative Director of the Courts

RONALD G. OVERHOLT
Chief Deputy Director

KIM K. DAVIS, AIA
*Acting Director, Office of Court
Construction and Management*

March 5, 2004

Mr. John Edmisten
Division Chief
County Administrative Office
County of Los Angeles
713 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Re: SB 1732 Court Facilities Transfer Program

Dear Mr. Edmisten:

On behalf of the Judicial Council and Administrative Office of the Courts (AOC), I want to welcome you and your county administration to the court facilities transfer program, being conducted pursuant to Sen. Bill 1732 (SB 1732). We are pleased to report that the Superior Court of Los Angeles County has already confirmed its commitment to this process.

This will confirm that we have scheduled our initial meeting with your county for March 15, 2004 commencing at 10 o'clock a.m. The initial meeting will be held at the Department of Public Works, 900 S. Fremont Avenue, Alhambra, CA. I will be leading this effort as a representative of the AOC. The AOC team will be supported by attorneys from the AOC's lead consulting counsel, Weston, Benshoof, Rochefort, Rubalcava & MacCuish, LLP, and professionals from the AOC's lead real estate consulting firm, Colliers Seeley International. The Court will be represented by Mr. John Van Whervin, Mr. Ken Martone, and Mr. Bill Mitchell.

For the last five months, the AOC has been working with certain "pilot" counties (Riverside, San Joaquin and Solano), in an effort to develop procedures and working drafts of documents that will allow the transfer program to move quickly and without unnecessary confusion and delay, as we branch out and begin discussions with your county and all of the other counties involved in the statewide transfer program. The AOC, California State Association of Counties (CSAC), and

Department of Finance (DOF) have all been providing input into the procedures and forms being used for the "pilot" counties, and they will continue to be involved as we move forward to schedule out first discussion with you. In preparation for our initial meeting, the AOC and courts are gathering the information available to us on the court inventory and taking other steps toward evaluation of the court facilities, as required under SB 1732 (Act).

We will be posting written materials relevant to our initial meeting with your county on the Colliers-Seeley website at www.crefg.com. Please provide copies of these materials to those within your county who will attend the initial meeting and to any other county officials who you anticipate will be involved in the court facilities transfer process. In addition, the AOC will be in contact with you prior to our initial meeting to discuss the format and agenda for our initial meeting. Following that discussion, an agenda for the meeting will be sent to you by e-mail prior to the meeting. If you are not able to download the materials for the initial meeting from the Colliers- Seeley website and/or to receive the agenda for the initial meeting by e-mail transmission, please let us know and we will make alternate arrangements for providing these documents to you.

We would like to structure this process so that all of us can make the most efficient use of limited time and resources. To the extent that you can provide additional information prior to our first meeting or have this information available at that meeting, it will be helpful to expedite the process. Similarly, if there is information that the County would like from the AOC or the Court prior to the first meeting, please let us know so that we can provide what is available in addition to the information in the enclosure to this letter.

An inventory list that shows the information that the AOC currently has on the known court facilities in Los Angeles County will also be sent to you prior to the meeting along with the agenda. The AOC requests that the County review this spreadsheet and either confirm that all listed information is accurate, complete, and up-to-date, or provide all changes and corrections needed so that the spreadsheet is accurate, complete, and up-to-date.

There are a number of issues that will be the focus of our initial discussions. Information on the following is requested:

1. Bonded Indebtedness (Section 70325 of Act)
 - a. Which of the County's court buildings are subject to bonded indebtedness and when does each bonded indebtedness obligation mature?
 - b. Does the County prefer to retain or transfer to the state the revenue sources used to pay the bonded indebtedness?
 - c. If the County prefers to transfer the revenue sources to the state, are any of the revenue sources used to pay bonded indebtedness on more than one building, and not all of those buildings are being transferred to the state?
 - d. Does the County intend to refinance or otherwise modify the bonded indebtedness on its court facilities between now and the date for transfer of responsibility?

- e. Please provide copies of the legal documents establishing bonded indebtedness and, if the County prefers to transfer the revenue sources to the state, please also provide written evidence of the type and amount of the revenue sources used to pay the bonded indebtedness.
2. Pending Maintenance Projects (Section 70326 of Act)
- a. Are there any phases of maintenance projects pending as to any of the court facilities?
 - b. If the answer to 2(a) is "yes", please provide copies of the following:
 - (i) evidence of the County Board of Supervisors' approval, in whole or in part, of the pending phase of each pending maintenance project at a Board of Supervisors' meeting, and written evidence of the allocation or appropriation of money for the pending phase of each pending maintenance project, **or**
 - (ii) the contract for such pending phase of each maintenance project executed by the Board of Supervisors.
3. Pending Projects Involving Court Facilities (Section 70331 of Act)
- a. Are there any pending phases of a project involving any of the court facilities (other than a maintenance project)?
 - b. If the answer to 3(a) is "yes", please provide copies of the following:
 - (i) the Board of Supervisors' resolution or ordinance approving of the pending phases of each pending project, and written evidence of the County's allocation or appropriation of money for the pending phase of each pending project, **or**
 - (ii) the contract for the pending phase of each project executed by the Board of Supervisors.
4. Historical Buildings (Section 70329 of Act)
- a. Has the County Board of Supervisors identified any of the buildings containing court facilities as "historical buildings," as defined in Section 70301(f) of the Act?
 - b. Does the County have any buildings it believes may be "historical buildings" which have not yet been identified as such by the Board of Supervisors pursuant to the Act? If so, the process for making such determination and formal identification should begin.
 - c. If the answer to either or both of 4(a) or 4(b) is "yes", then please provide documentation demonstrating that (i) the building containing the court facilities is listed on a federal, state or local list or inventory of historical resources such that the building is a "qualified historical building", as defined in Section 18955 of the California Health & Safety Code, or (ii) the building is included on, or has been

determined to be "eligible for inclusion" on the National Register of Historic Places pursuant to Section 470a of Title 16 of the United States Code.

- d. If the answer to 4(a) or 4(b) is "yes", but the building(s) identified as "historical buildings" by the Board of Supervisors have not yet been nominated for inclusion on a federal, state or local list or inventory of historical resources or the National Register of Historic Places as described in 4(c), the County should commence the process of nominating such building(s) immediately.
 - e. If the County has one or more buildings containing court facilities that have been identified by the Board of Supervisors as "historical buildings," has the County's Board of Supervisors consented to transfer to the state the title to some or all the "historical buildings" (or will the Board do so)?
 - f. If the Board of Supervisors does not consent to transfer title to any "historical building" to the state, will the County make the court facilities within such "historical building(s)" available to the Judicial Council for Court use, or does the County wish to propose to provide alternative court facilities of at least comparable size, condition, and utility?
5. 80% County-Occupied Buildings (Section 70344 of Act)
- a. Does the County intend to exercise its right to require the court to vacate any shared-use building in which the county occupies 80% or more of the usable space?
6. Leased Facilities (Section 70323 of Act)
- a. Which of the County's buildings containing court facilities are leased by the County from a third party?
 - b. Please provide copies of the fully executed lease for each such building (including all exhibits, amendments and addenda to each such lease).
 - c. Will the landlord consent to the assignment of the lease to the state? If so, upon what terms and conditions?
7. Insurance for Facilities
- a. Does the County have in place property ("all risk" or casualty) insurance and/or liability insurance for the buildings in which court facilities are located?
 - b. Please provide copies of the insurance policies, or other written "evidence" of insurance, showing the types and amounts of coverage.
 - c. If the County "self-insures" its buildings, please provide copies of all relevant documents concerning the County's self-insurance program.
8. Please provide copies of all written agreements between the County and the Court (i.e., MOUs) that address facility-related issues or projects.
9. To the extent not previously provided to the Judicial Council in connection with the seismic evaluation of the County's court facilities, please provide documentation related to the court facilities such as plot plans, surveys, title records, original construction plans

Mr. John Edmisten
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and specifications, construction documents for renovations and subsequent additions, as-built drawings, maintenance records, warranties, and identification of parking spaces that were made available to the court as of October 1, 2001 (Gov. Code § 70330).

Thank you in advance for your assistance in compiling and providing the above-requested information. If you have any questions regarding this letter or the general process before our scheduled first meeting, please do not hesitate to call me. I can be reached at (415) 865-7971 or at kim.davis@jud.ca.gov. We look forward to developing a good working relationship with you and very much appreciate your cooperation to that end.

Sincerely,

A handwritten signature in black ink that reads "Kim Davis, AIA". The signature is written in a cursive, flowing style.

Kim K. Davis, AIA
Office of Court Construction and Management

KKD/cd

cc: Hon. Robert A. Dukes, Presiding Judge, Superior Court of Los Angeles County
Mr. John A. Clarke, Court Executive Officer, Superior Court of Los Angeles County
Mr. Rubin Lopez, California State Association of Counties